

The Gazette



of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, THURSDAY, SEPTEMBER 3, 1948

GOVERNMENT OF INDIA

MINISTRY OF INDUSTRY AND SUPPLY

Office of the Textile Commissioner

NOTIFICATION

*Bombay, the 1st September 1948**General Permission under the Indian Cotton (Control) Order, 1945*

**No. TOS-I/48.**—In pursuance of Clause 5 of the Indian Cotton (Control) Order 1945 and in supersession of the Notification of the Textile Commissioner No. 214-T.A./45 (ii), dated the 19th January 1946, I hereby declare that subject to the provisions of paragraph 2 below of this Permission the following contracts relating to the cotton of the year 1948-49 or earlier seasons shall be excluded from the provisions of the said order, namely:—

(i) Ready Contracts.

(ii) Delivery Contracts: that is to say Forward Contracts for Kapas or Cotton (full-pressed, half-pressed or loose) of specific qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which Contracts are not transferable to third parties.

(iii) Hedge Contracts: that is to say Forward Contracts entered into by members of the East India Cotton Association Limited entitled to the use of the Clearing House of the Association where such Contracts are made in accordance with the rules and by-laws of the Association in the official markets of the Association.

2. (1) Nothing in this Permission shall apply in relation to any Contract for the sale or purchase of any cotton of the description specified in Columns 1 and 2 of the Schedule hereto annexed wherein the price stipulated is less than the floor price specified in Column 3 of the Schedule or more than the ceiling price specified in Column 4 of the Schedule, as applicable to the subject-matter of the Contract having regard to the place of delivery:

Provided that where the cotton, the subject-matter of the Contract, is of a quality either inferior or superior to the basic quality referred to in Columns 1 and 2 of the Schedule, the floor or the ceiling price shall be decreased or increased as the case may be by an amount specified in columns 5 to 7 of the Schedule.

(2) Every Contract in which the final price is not named shall be read as if the following clause were inserted therein: "The price payable shall be within the range of the floor and ceiling prices under the Schedule to the Textile Commissioner's General Permission No. TOS-I/48, dated the 1st September 1948".

3. (1) The prices specified in the Schedule are in Rupees per candy of 784 lbs. nett for delivery in full-pressed bales *ex-seller's* godown, Bombay, and include  $\frac{1}{2}$  per cent. brokerage payable by the seller to the buyer and the usual sample and stone allowances.

(2) The floor and ceiling prices shall be the floor and ceiling prices specified in the Schedule reduced by the sum equivalent to the railway freight from the place of origin to Bombay and Rs. 10 per candy and increased by the sum, if any, equivalent to the railway freight from the place of origin to the place of delivery to the buyer and Rs. 10 per candy.

*Explanation:* Place of origin means the railway station nearest the Press Factory where the cotton was pressed.

(3) Where any Contract is made with reference to a standard of weight other than the candy of 784 lbs., the ceiling and floor prices applicable thereto under sub-paragraph (2) above shall be as increased or reduced, as the case may be, in proportion.

4. For the purposes of this Permission,

- (a) "Jarilla" means cotton from any place in the District of Nasik or of East and West Khandesh in the Province of Bombay, Central Province and Berar, Central India, or any of the States of Hyderabad, Gwalior, Jhalawar, Pratabgarh and Sironj or in Chhabra or Pirawa Parganas of Tonk State; and includes "Verum", "Cambodia", "Buri", "Farm", "Upland", "Gaorani", "Parbhani Seed" and "American Seed".
- (b) "Broach" means cotton from any place in the district of Kaira or Broach or Panch Mahals (excluding Ankleshwar Taluka) in the Province of Bombay or in any of the States of Balasinor, Baria, Cambay, Chhota Udepur, Lunawada, Jambughoda, Kadan Mandwa and Vajiria, Bhaderwa, Baroda District of Baroda State and Talod; and includes "Farm", "Vijay", "B.D. 8", "B. 9" and "1027".
- (c) "Surti" means cotton from any place in the Ankleshwar Taluka of the Broach District, or in the Surat District of the Province of Bombay or the Nawapur Taluka of the West Khandesh District or in any of the States of Rajpura, Sachin, Bansda or Dharampur or in the Navsari District of the Baroda State.
- (d) "R. G. American descriptions" means cotton from any place in the East Punjab Province, or in any of the States of Faridkot, Jind, Malerkotla, Nabha, or Patiala.
- (e) "Dhollera" means cotton from any place in Kathiawar, or in any State of the Former Western India States, or in the district of Ahmedabad in the Bombay Province, or in Mobsana or Amreli Districts of Baroda State or in Cambay State or Vaktapur Taluka of the former Gujrat States or Petlad; and includes "1027", "Kadi/Viramgaon", "Kadaya" and "Vagad".
- (f) "Kalagin" means cotton from any place in Kathiawar.
- (g) "Bengal Deshi" means cotton from any place in the East Punjab, or the United Provinces, Rajputana or any Indian State in any of these areas.
- (h) "Omra Deshi" means cotton from any place in Berar and C.P., Khandesh Districts in the Bombay Province, Central India, or from Burhanpur, Barwaha, Harda, Khandwa, Sanavad, and includes "Muttia".

- (i) "Coompta" means cotton from any place in any of the districts of Dharwar, Belgaum, Bijapur or Satara in the Bombay Province or in any of the States of Jath, Aundh, Phaltan, Kolhapur, Sangli, Miraj Senior, Miraj Junior, Kurundwad Senior, Kurundwad Junior, Savannur, Janukhandi, Mudhol, Ramdurg, Mysore (excluding the districts of Mysore and Bangalore) or from the Raichur Protected Area in Raichur District of Hyderabad State; and includes "Farm", "Jawari", and "Jaywant".
- (j) "Upland" means cotton from any place as given above for Coompta; and includes "Farm".
- (k) "Westerns" means cotton from any place in Bellary, Anantpur, and Cuddapah districts, or in Patikonda Taluka or Kurnool District of Madras Province or Raichur District (excluding Raichur Protected area) or Gulbarga District in the Hyderabad State; and includes "Farm", "Bagalkot" and "Jaywant".
- (l) "Cambodia" means cotton from any place in any of the districts of North Arcot, South Arcot, Coimbatore, Salem, Trichinopoly (including Pudukotai State), Madura, Ramnad, Tinnevely, Chittoor and Chingleput in the Madras Province; and includes "Farm" and "Avanashi".
- (m) "Karunganni" means cotton from any place in any of the districts of Coimbatore, Madura, Ramnad and Tinnevely in the Madras Province; and includes "Tinnevely".
- (n) "C. P. I, C. P. II and Central India" means cotton from Central Provinces (excluding Nimar and Hoshangabad districts); Yeotmal district; Morsi (Chief Centre Warud) and Chandur (Chief Centre Dhamangaon) talukas of Amraoti district of Berar; Central India (except Bundelkhand States and Rewa State); Jhalawar, Mewar and Partabgarh States and Sironj, Chhabra and Pirawa Parganas of Tonk State of Rajputana and includes Malvi.

## SCHEDULE

Description of Cotton	Basic staple length inches	Basic Floor Price Rs. per candy	Basic Ceiling Price Rs. per candy	"Of" and "On" Allowances for class other than basic class						"Of" allow- ances for staple below basic staple		"On" Allowances for staple above the basic staple			
				5						6		7			
				Good F.	Good	Fine	S. Fine	Extra S. Fine	Choice	2/32"	1/32"	1/32"	2/32"	3/32"	4/32"
	2	3	4	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Jarilla	25/32"	495	620	...	5	Basis	5	15	25	35	20	20	40	60	...
Broach	3/4"	475	600	...	5	Basis	5	10	15	35	20	20	40	60	80
Vijay— B. D. 8 B. 9 1027	3/4"	525	650	...	5	Basis	5	10	15	35	20	20	40	60	80
Broach Farm Surat	7/8"	590	715	...	5	Basis	5	10	15	30	15	20	40	60	80
4FP/Am RG	3/4"	525	650	...	5	Basis	5	10	15	35	20	20	40	60	80
LSS P/Am RG	13/16"	565	690	...	5	Basis	5	10	15	35	20	20	40	60	80
259 F P/Am RG	7/8"	635	760	...	5	Basis	5	10	15	35	20	20	40	60	80
Coompta	7/8"	575	700	...	5	Basis	5	10	15	35	20	15	35	50	65
Upland	13/16"	525	650	...	5	Basis	5	10	15	35	20	20	40	60	80
Westerns	13/16"	500	650	...	5	Basis	5	10	15	35	20	15	35	50	65
Cambodia	7/8"	595	720	...	5	Basis	5	15	25	50	25	40	60	80	100
Karungani	13/16"	525	650	...	5	Basis	5	10	15	35	20	20	40	60	80
Dholera	3/4"	...	570	...	5	Basis	5	10	15	35	20	20	40	60	80
Kalagin	3/4"	...	570	...	5	Basis	5	10	15	30	15	20	35	50	65
Bengal Deshi	...	...	445	20	Basis	20	40	60	...	...	...	...	...	...	...
Omra Deshi	...	...	495	...	...	Basis	20	40	60	...	...	...	...	...	...
CPI and CPII and Central India	5/8"	...	495	...	5	Basis	5	15	25	...	20	35	45	65	...

BOMBAY ;  
1st September 1948.

T. P. BARAT,  
Textile Commissioner.

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, INDIA.  
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI, INDIA.

The Gazette



of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, SATURDAY, SEPTEMBER 4, 1948

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

NOTIFICATIONS

*New Delhi, the 3rd September 1948.*

**No. F-21/1/48-Appt(SP).**—The Honourable Sbri Shanmukham Chetty has, on the forenoon of the 17th August 1948, vacated his office as Member of the Council of Ministers of His Excellency the Governor-General.

*New Delhi, the 4th September 1948*

**No. 2/14/I/48-Public.**—In pursuance of Section 3 of the Census Act, 1948, the Central Government, considering it necessary to take a census of refugees, hereby declares its intention of taking such census in the territories specified in the Schedule annexed hereto.

For the purposes of this notification:—

(a) 'refugee' means any person who has entered India on or after the 1st March, 1947, having left or been compelled to leave his home in West Pakistan on account of civil disturbances there or the fear of such disturbances or on account of the setting up of the two Dominions of India and Pakistan;

(b) "West Pakistan" means that part of Pakistan which lies to the west of India.

## SCHEDULE

## PART I — PROVINCES

1. The Provinces of Bombay.
2. The United Provinces.
3. The Province of East Punjab.
4. The Province of Central Provinces and Berar.
5. The Province of Delhi.
6. The Province of Ajmer-Merwara.

## PART II — ACCEDING STATES

1. Himachal Pradesh.
2. United State of Saurashtra.
3. United State of Vindya Pradesh.
4. United State of Rajasthan.
5. United State of Madhya Bharat.
6. Patiala and East Punjab States Union.

**No. 2/14/II/48-Public.**—In exercise of the powers conferred by sub-section (1) of section 8 of the Census Act, 1948, the Central Government is pleased to issue the following instructions with respect to questions to be asked in the Provinces of Delhi and Ajmer-Merwara by a census officer for the purpose of taking census of refugees in pursuance of the notification of the Government of India in the Ministry of Home Affairs No. 2/14/48-Public, dated 4th September 1948.

#### LIST OF QUESTIONS

1. Name of head of family.
2. Where was your home in Pakistan?
3. Religion.
4. How many persons were in the family there?
5. How many of you came over to Indian Union? Give names, sex and ages.
6. Did you own rural property (immovable) in Pakistan? Give details of value etc.
7. Did you own urban property (immovable) in Pakistan? Give details of value etc.
8. What were the occupations pursued by you or members of your household when in Pakistan? Give rank, number, unit and dates in respect of any military, naval or air force service rendered.
9. Before 15th August 1947 did you own any property, business or other assets in Indian Union?
10. Have you or any members of your family secured employment in Indian Union? If so give details.
11. How are you accommodated at present? Are you living in (a) a house, (b) a refugee camp or (c) a Dharamshala or (d) in the open without any protection? In case of (a) is the house (i) bought or leased or (ii) purely temporary?
12. What rehabilitation benefits have you so far derived from Government? Give details?

H. V. R. JENGAR, Secy.

*New Delhi, the 3rd September 1948.*

**No. 8/9/48-Judicial.**—In exercise of the powers conferred by section 2 of the Ajmer-Merwara (Extension of Laws) Act, 1947 (LII of 1947), the Central Government is pleased to extend the Bombay Electricity (Surcharge) Act, 1946 (Bombay Act XIX of 1946), to the Province of Ajmer-Merwara, subject to the following modifications, namely:—

- (i) For the words "Provincial Government" wherever they occur, the words "Chief Commissioner" shall be substituted.
- (ii) In sub-section (2) of section 1, for the word "Bombay", the words "Ajmer-Merwara" shall be substituted.
- (iii) At the end of sub-section (4) of section 1, the words "from the date of its extension to Ajmer-Merwara" shall be added.
- (iv) In sub-section (2) of section 3, after the brackets and figure "(1)", the words "or on its own motion" shall be inserted.
- (v) Section 5 shall be omitted; and
- (vi) In section 6, the words "or in any contract for energy or for maintenance of street-lighting equipment" shall be omitted.

## BOMBAY ACT No. XIX of 1946

(First published, after having received the assent of the Governor General, in the 'Bombay Government Gazette' on the 30th September, 1946)

**An Act to provide for the levy of a surcharge by licensees and sanction-holders under the Indian Electricity Act, 1910, in respect of their undertakings.**

WHEREAS it is expedient to provide for the levy of a surcharge by licensees and sanction-holders under the Indian Electricity Act, 1910 (IX of 1910), in respect of their undertakings; It is hereby enacted as follows:—

**1. Short title, extent, application and duration.**—(1) This Act may be called the Bombay Electricity (Surcharge) Act, 1946.

(2) It extends to the whole of the Province of Bombay.

(3) It shall apply to such undertakings as the Provincial Government may, by notification in the Official Gazette, specify.

(4) It shall be in force for a period of three years only.

**2. Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(i) "licensee" means any person licensed under Part II of the principal Act to supply energy;

(ii) "prescribed" means prescribed by rules.

(iii) "principal Act" means the Indian Electricity Act, 1910 (IX of 1910);

(iv) "sanction-holder" means a person supplying electrical energy with the previous sanction of the Provincial Government under section 28 of the principal Act;

(v) words and expressions used in this Act but not defined shall have the meanings assigned to them in the principal Act.

**3. Power of Provincial Government to fix rate of surcharge.**—(1) Any licensee or sanction-holder may apply to the Provincial Government in the prescribed form for fixing a rate of surcharge on the charges for energy or street lighting equipment leviable by him under the terms of his licence, sanction or contract, as the case may be. Such application shall be accompanied by such calculations as may be prescribed.

(2) On receipt of an application under sub-section (1), the Provincial Government may, if it considers that a surcharge is desirable in the case of such licensee or sanction-holder, by order notified in the Official Gazette, fix the rate of surcharge.

(3) The rate of surcharge fixed under sub-section (2) shall not exceed—

(a) 33½ per centum in the case of undertakings where diesel oil is used for the generation of energy,

(b) 20 per centum in the case of undertakings where steam is used for the generation of energy.

(4) In the order fixing the rate of surcharge under sub-section (2), the Provincial Government may specify such conditions as it may think fit to be observed by the licensee or sanction-holder.

(5) Without prejudice to the generality of the power contained in sub-section (4), the Provincial Government may require the execution of an undertaking in the prescribed form by the licensee or sanction-holder that his profits in excess of the prescribed limits shall be transferred to a Rates Stabilization Reserve for prescribed purposes.

(6) The Provincial Government may at any time enhance or reduce by a like order the rate fixed under sub-section (2).

**4. Licensee and sanction-holder not to supply energy at charges other than charges surcharged.**—Upon the rate of surcharge being fixed by the Provincial Government from time to time in accordance with this Act, it shall not be lawful for the licensee or sanction-holder concerned except with the previous sanction of the Provincial Government to charge at other than charges surcharged at the rate for the time being so fixed:

Provided that no such charge or any subsequent revision thereon shall affect charges leviable for any period not covered by the relevant order of the Provincial Government.

**5. Existing surcharges deemed to be made under this Act.**—Any existing surcharges applied by a licensee or sanction-holder under the provisions of the Bombay Electricity Supply (Licensed Undertakings' War Costs) Order, 1944, to his charges shall be deemed to be surcharges fixed under section 3.

**6. Act to apply notwithstanding any other law etc.**—The provisions of this Act shall apply notwithstanding anything contained in any other law or in any licence or sanction granted under the principal Act, or in any contract for energy or for maintenance of street lighting equipment.

**7. Rules.**—(1) The Provincial Government may by notification in the Official Gazette make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, the Provincial Government may make rules providing for the form of application and the calculations to accompany it under sub-section (1) of section 3, and the form of undertaking to be executed, the limits in excess of which profits of a licensee or sanction-holder shall be transferred to a Rates Stabilization Reserve and the purposes for which they shall be so transferred under sub-section (5) of section 3.

E. C. GAYNOR, Dy. Secy.